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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JAMES D. MACIEL,

No. CIV-S-02-2675 MCE/PAN P

12 Plaintiff,

13 v.

ORDER

14 TOM PREBULA, ET AL.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On August 25, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on all parties and which
24 contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 On September 27, 2005, Plaintiff was granted a 30-day extension
2 of time to file objections. Plaintiff has not filed objections
3 to the findings and recommendations.

4 The court has reviewed the file and finds the findings and
5 recommendations to be supported by the record and by the
6 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
7 that:

8 1. The findings and recommendations filed August 25, 2005,
9 are adopted in full; and

10 2. Claims against defendants Manuel, Riddle, Andreasen,
11 Allen, Sullivan, Zaro and Stratton are dismissed for failure to
12 state a claim, for the same reasons set forth by the court in
13 dismissing plaintiff's claims against defendants Prebula,
14 Pulsipher, Miller, May, Gavia and Cry. See January 7, 2005,
15 findings and recommendations and March 15, 2005, order adopting
16 same.

17 DATE: November 3, 2005

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20 MORRISON C. ENGLAND, JR.
21 UNITED STATES DISTRICT JUDGE
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